

REMARKS

This is in response to the office action mailed July 18, 2005. A petition for a one month extension of time together with check therefor based on small entity of the Applicant is enclosed herewith.

Claims 1 to 32 are in this application. Claims 1, 27, 29 and 30 are amended as discussed below. Claims 4 and 31 have been amended to overcome formal rejections noted by the Examiner.

The Rejections

Claims 4 to 6 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite, certain elements therein lacking antecedent basis. These have now been corrected.

Claims 1, 2, 13-15 and 29 to 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Swapp.

Claims 1, 2, 7 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruggles.

Claims 1, 2, 9 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Milano.

Claims 16, 18, 19 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toda in view of Swapp.

Claims 20, 21, 22 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brinkerhoff in view of Swapp.

Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swapp in view of Ruggles.

It is noted with appreciation that claims 4 to 6, 8, 9 to 12, 17 and 23 to 25 are objected to but would be allowable if appropriately rewritten. However, Applicant submits that the amendments introduced herein overcome the references applied. It is pointed out that the amendments herein recite a shutter control which includes the concept of claim 9, which the Examiner has found to contain allowable subject matter.

For reasons set forth below, it is submitted that the amended claims define patentable subject matter over the references cited and applied by the Examiner.

The claim amendments

Claims 1, 27, 29 and 30 are amended to recite that the slats have external surfaces and further that the connector portion

overlies and connects to the external surface. This feature clearly finds no support or disclosure in the references cited and applied.

Brief Comparison of Claimed Invention and References

Swapp differs at least in the manner of connection to the slats. Pins 100 engage in bores 132. The window shutter disclosed in this patent requires that the slats be adapted and constructed to receive the pin.

Ruggles has a similar connection mechanism. Tongues 32 are received in receiving pockets 34 in the slat 18. The slat thus require special construction to allow the actuator disclosed to connect to the slat.

In the same vein, Milano has the notch 17 in the slat 18 for connecting to the adaptor 42.


The claimed invention is designed so as to be capable of connecting to a shutter as an "add on" where the slats or shutter require no structural adaptation at all and can be easily retrofitted with the shutter control device claimed. The claims recite that the connector portion connects to the external surface of a slat, and no "invasive" restructuring of the slat is needed to obtain the benefit of the invention. Contrast this situation with

the cited patents all of which require specialized slats. No connection would be possible without this specialization.

In view of the above, Applicant submits that the amended claims define patentable subject matter, and allowance of all the claims is respectfully solicited. If the Examiner has any questions, he is invited to contact the undersigned at (818)710-2788.

Please acknowledge receipt hereof by stamping and returning the enclosed return postcard.

Respectfully submitted,



Colin P. Abrahams (Reg. No. 32,393)
Attorney for the Applicant
5850 Canoga Avenue, Suite 400
Woodland Hills, California 91367
Tel: (818)710-2788; Fax: (818)710-2798

Enclosed: Petition for extension and check

Certificate of Mailing (37 CER 1.8):

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on November 18, 2005.



Colin P. Abrahams